

91st Legislative Session – 2016

Committee: House Education

Monday, February 22, 2016

P - Present
E - Excused
A - Absent

Roll Call

P Campbell
P Deutsch
P Gibson
P Hawks
P Holmes
P Hunt
E Kaiser
P Klumb
P May
P McCleerey
P Tulson
P Wollmann
P Zikmund
P Johns, Vice-Chair
P Sly, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Jacqueline Sly.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 19, 2016

Moved by: Gibson
Second by: McCleerey
Action: Prevailed by voice vote.

MOTION: TO INVOKE RULE 7-1.5 CONSIDERATION OF MATTERS NOT POSTED:
RECONSIDERATION OF HB 1096

Moved by: Hunt

Second by: Klumb

Action: Prevailed by roll call vote. (11-3-1-0)

Voting Yes: Campbell, Deutsch, Holmes, Hunt, Klumb, May, Tulson, Wollmann, Zikmund, Johns, Sly

Voting No: Gibson, Hawks, McCleerey

Excused: Kaiser

HB 1096: provide for the exemption of certain students from the requirement to take certain academic assessment tests.

Presented by: Representative Bolin

Proponents: Tami Darnall, South Dakota Department of Education
Sheri Hardman, Superintendent, Elk Point/Jefferson Schools
Tim Rhead, Superintendent of Alcester/Hudson Schools

MOTION: REMOVE HB 1096 FROM THE TABLE

Moved by: Hunt

Second by: Klumb

Action: Prevailed by roll call vote. (11-3-1-0)

Voting Yes: Campbell, Deutsch, Holmes, Hunt, Klumb, May, Tulson, Wollmann, Zikmund, Johns, Sly

Voting No: Gibson, Hawks, McCleerey

Excused: Kaiser

MOTION: AMEND HB 1096

1096sa

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That § 13-28-19.1 be amended to read:

13-28-19.1. If a school district that was contracting pursuant to § 13-15-11, dissolves and is annexed to another school district prior to July 1, 2010, the school board for the school district to which the former contracting school district is annexed shall, for the current school year and for each

school year thereafter, assign the students who reside in land area that was part of the former contracting district to the school that was receiving the students under the contract. The rate of tuition paid per year to the receiving school district may not be less than the per student allocation as defined in § 13-13-10.1 for that school fiscal year and is not subject to the tuition limitation in § 13-28A-2.1. In addition, the school district to which the former contracting school district is annexed may compensate the receiving school district for all or any portion of the transportation or other costs associated with the students attending school in the receiving school district. If the parent or guardian of a student assigned to a school district in a bordering state pursuant to this section disapproves of the student's assignment, the school board shall assign that student to an attendance center within the district. However, notwithstanding any other provision of law, the school district is not required to provide transportation to that student."

Moved by: Hunt
Second by: Gibson
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1096 AS AMENDED

Moved by: Tulson
Second by: Holmes
Action: Prevailed by roll call vote. (12-1-2-0)

Voting Yes: Campbell, Deutsch, Gibson, Hawks, Holmes, Hunt, Klumb, McCleerey, Tulson, Wollmann, Zikmund, Sly

Voting No: Johns

Excused: Kaiser, May

MOTION: AMEND TITLE OF HB 1096

1096sta

On page 1, line 1, of the printed bill, delete everything after "certain" and insert "schools from a tuition limitation applied to some bordering state school districts."

On page 1, delete line 2.

Moved by: Klumb
Second by: Hunt

Action: Prevailed by voice vote.

HB 1146: authorize the Governor to enter agreements with Indian tribes regarding the high school equivalency tests administered on Indian reservations.

Presented by: Representative Bordeaux

Opponents: Melody Schopp, Department of Education

MOTION: DO PASS HB 1146

Moved by: Gibson

Second by: Campbell

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1146 TO THE 41ST LEGISLATIVE DAY

Moved by: Johns

Second by: Deutsch

Action: Failed by roll call vote. (3-11-1-0)

Voting Yes: Deutsch, Johns, Sly

Voting No: Campbell, Gibson, Hawks, Holmes, Hunt, Klumb, May, McCleerey, Tulson, Wollmann, Zikmund

Excused: Kaiser

THE MOTION TO DO PASS HB 1146

Moved by: Gibson

Second by: Campbell

Action: PREVAILED BY ROLL CALL VOTE. (12-2-1-0)

Voting Yes: Campbell, Deutsch, Gibson, Hawks, Holmes, Hunt, Klumb, May, McCleerey, Tulson, Wollmann, Zikmund

Voting No: Johns, Sly

Excused: Kaiser

HB 1147: prohibit school districts from using school or athletic team names, mascots, or nicknames that are determined to be racially derogatory or discriminatory.

Presented by: Representative Bordeaux (Handouts: #1)
Proponents: Senator Heinert
Representative Killer
Sarah Manning, self, Sisseton, South Dakota
Opponents: Wade Pogany, Associated School Boards of South Dakota
Others: Lindsey Riter-Rapp, South Dakota High School Activities Association
Melody Schopp, Department of Education

MOTION: DO PASS HB 1147

Moved by: Gibson
Second by: Hawks
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1147 TO THE 41ST LEGISLATIVE DAY

Moved by: Deutsch
Second by: Johns
Action: Failed by roll call vote. (6-8-1-0)

Voting Yes: Deutsch, Holmes, Hunt, Tulson, Johns, Sly

Voting No: Campbell, Gibson, Hawks, Klumb, May, McCleerey, Wollmann, Zikmund

Excused: Kaiser

THE MOTION TO DO PASS HB 1147

Moved by: Gibson
Second by: Hawks
Action: PREVAILED BY ROLL CALL VOTE. (10-4-1-0)

Voting Yes: Campbell, Gibson, Hawks, Holmes, Klumb, May, McCleerey, Tulson, Wollmann, Zikmund

Voting No: Deutsch, Hunt, Johns, Sly

Excused: Kaiser

HB 1148: require schools to provide instruction on South Dakota's tribal history, culture, and government.

Presented by: Representative Bordeaux
Proponents: Representative Killer
Opponents: Melody Schopp, Department of Education (Handouts: #2, #3, #4)

MOTION: DO PASS HB 1148

Moved by: May
Second by: Klumb
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1148 TO THE 41ST LEGISLATIVE DAY

Moved by: Johns
Second by: Hunt
Action: Prevailed by roll call vote. (10-4-1-0)

Voting Yes: Campbell, Deutsch, Holmes, Hunt, McCleerey, Tulson, Wollmann, Zikmund, Johns, Sly

Voting No: Gibson, Hawks, Klumb, May

Excused: Kaiser

HB 1152: create the new frontiers program to support innovative research by South Dakota companies.

MOTION: TO TABLE HB 1152

Moved by: Kaiser
Second by: Holmes
Action: Prevailed by roll call vote. (14-0-1-0)

Voting Yes: Campbell, Deutsch, Gibson, Hawks, Holmes, Hunt, Klumb, May, McCleerey, Tulson, Wollmann, Zikmund, Johns, Sly

Excused: Kaiser

HB 1222: accommodate legislation relating to shared services in schools.

MOTION: TO TABLE HB 1222

Moved by: Hawks
Second by: Gibson
Action: Prevailed by roll call vote. (14-0-1-0)

Voting Yes: Campbell, Deutsch, Gibson, Hawks, Holmes, Hunt, Klumb, May, McCleerey, Tulson, Wollmann, Zikmund, Johns, Sly

Excused: Kaiser

HB 1220: direct the secretary of education to rescind a GEAR UP grant waiver.

Presented by: Representative Bartling (Handouts: #5)
Proponents: Senator Heinert
Melody Schopp, Department of Education
Others: Brett Arenz, Office of Department of Education

MOTION: AMEND HB 1220

1220ca

On page 1 of the printed bill, delete lines 5 to 8, inclusive.

On page 1, line 9, delete everything before "It" and insert:

"

Upon receiving approval from the United States Department of Education, the secretary of education shall reinstate the scholarship funding under the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP), as part of the 2011 application for a state grant. The secretary of education shall seek matching dollars for the scholarship funds available to Native American students under the GEAR UP grant program."

Moved by: Gibson
Second by: Hawks
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1220 AS AMENDED

Moved by: Deutsch
Second by: Holmes
Action: Prevailed by roll call vote. (14-0-1-0)

Voting Yes: Campbell, Deutsch, Gibson, Hawks, Holmes, Hunt, Klumb, May, McCleerey, Tulson, Wollmann, Zikmund, Johns, Sly

Excused: Kaiser

MOTION: AMEND TITLE OF HB 1220

1220cta

On page 1, line 1, of the printed bill, delete everything after "education to" and insert "reinstate scholarship funding under the GEAR UP grant program.".

On page 1, delete line 2.

Moved by: Klumb
Second by: Holmes
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Wollmann
Second by: Campbell
Action: Prevailed by voice vote.

Shirley Ellwein
Committee Secretary

Jacqueline Sly, Chair